

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CLARISSA C. CORTEZ,
Plaintiff,

v.

NEW CENTURY MORTGAGE CORPORATION,
SAXON MORTGAGE SERVICES, INC., OLD
REPUBLIC NATIONAL TITLE INSURANCE
COMPANY, PACIFIC MORTGAGE
CONSULTANTS, AND DOES 1 through 50,
inclusive,

Defendants.

No. C 11-01019 CW

ORDER REFERRING
CASE TO
ALTERNATIVE
DISPUTE
RESOLUTION UNIT
FOR INITIAL
ASSESSMENT

Pursuant to Civil L.R. 16-8 and ADR L.R. 2-3, the Court refers this foreclosure-related action to the Alternative Dispute Resolution (ADR) Unit to assess this case's suitability for mediation or a settlement conference. Plaintiff Clarissa C. Cortez and Defendants who have been served--Saxon Mortgage Services and Old Republic Title Company, or their counsel--shall participate in a telephone conference, to be scheduled by the ADR Unit on a date before March 25, 2011.

The parties or their counsel shall be prepared to discuss the following subjects:

- (1) Identification and description of claims and alleged defects in loan documents.
- (2) Prospects for loan modification.
- (3) Prospects for settlement.
- (4) Any other matters that may be conducive to the just, efficient and economical determination of the action.

The parties need not submit written materials to the ADR Unit for the telephone conference.

In preparation for the telephone conference, Plaintiff shall do the following:

- (1) Review relevant loan documents and the claims she has filed.
- (2) If Plaintiff is seeking a loan modification to resolve all or some of her claims, she shall prepare a current, accurate financial statement and gather all of the information and documents customarily needed to support a loan modification request. Further, Plaintiff shall immediately notify Defendants' counsel of her request for a loan modification.
- (3) Provide counsel for Defendants with information necessary to evaluate the prospects for loan modification. The general and financial information provided to Defendants may be in the form of a financial statement, worksheet or application customarily used by financial institutions.

In preparation for the telephone conference, counsel for Defendants shall do the following.

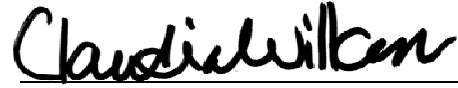
- (1) If Defendants are unable or unwilling to do a loan modification after receiving notice of Plaintiff's request, counsel for Defendants shall promptly notify Plaintiff to that effect.
- (2) Arrange for a representative of each Defendant with full settlement authority to participate in the telephone conference.

The ADR Unit will provide the parties with additional

1 information regarding the telephone conference, including the date
2 it will be held. After the telephone conference has been held, the
3 ADR Unit will advise the Court of its recommendation for further
4 ADR proceedings.

5 IT IS SO ORDERED.

6 Dated: 3/10/2011



CLAUDIA WILKEN
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

CLARISSA C. CORTEZ,

Plaintiff,

v.

NEW CENTURY MORTGAGE CORP et al,

Defendant.

Case Number: CV11-01019 CW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on March 10, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Clarrisa C. Cortez
2609 Covelite Way
Antioch, CA 94531

Dated: March 10, 2011

Richard W. Wieking, Clerk
By: Nikki Riley, Deputy Clerk

United States District Court
For the Northern District of California